



**SCOTTSDALE AIRPORT ADVISORY COMMISSION
PUBLIC MEETING
Scottsdale Airport Terminal Lobby
15000 N. Airport Drive, Scottsdale, AZ**

May 14, 2014

MINUTES

PRESENT: Steve Ziomek, Chairman
William Bergdoll
Michael Goode
Bob Hobbi
William Schuckert (arrived 6:05 p.m.)

ABSENT: Ken Casey, Vice Chairman
Gunnar Buzzard

STAFF: Sarah Ferrara, Aviation Planning & Outreach Coordinator
Shannon Johnson, Management Analyst
Chris Read, Airport Operations Manager
Mr. Keith Niederer, Senior Planner
Adam Yaron, Planner, Long Range Planning

GUESTS: DeeDee Maza, Zulu Caffé
Bill Patterson, The Cypress Group
Shawn Seaton, Silverleaf
Matthew Wright, Landmark Aviation

CALL TO ORDER

Chairman Ziomek called the meeting to order at 6:01 p.m.

ROLL CALL

A formal roll call confirmed the presence of Commissioners as noted above.

PLEDGE OF ALLEGIANCE

Chairman Ziomek led the meeting in the pledge of allegiance.

AVIATION DIRECTOR'S REPORT

Mr. Chris Read, Airport Operations Manager, reported that a sign for Landmark North has been installed at the corner, following the discussion in a previous Commission meeting about wayfinding.

APPROVAL OF MINUTES

1. Approval of Minutes

Regular Meeting: April 9, 2014

Commissioner Goode made a motion to approve the minutes of the April 9, 2014 regular meeting as presented. Commissioner Hobbi seconded the motion, which carried by a vote of four (4) to zero (0). Vice Chairman Casey and Commissioner Buzzard were absent and Commissioner Schuckert had not yet arrived.

PUBLIC COMMENT

Mr. Shawn Seaton addressed the Commission on behalf of DC Ranch Association and Silverleaf. He said he loves military jets and enjoys watching them with his son. What most residents are having issues with is not the occasional military jet or air show, but the training exercises which mean constant traffic for several consecutive days. There was one occasion a few months ago when training exercises took place on two consecutive weekends. He understands the military have rights to land at Scottsdale at any time but does not feel a municipal airport should be a training base.

Chairman Ziomek told Mr. Seaton that the Commission is not allowed to comment on matters raised in public commentary, but directed him to review the minutes of the April meeting to see what the Commission's thinking had been.

REGULAR AGENDA

ITEMS 1 - 11

1. Discussion and Possible Action to recommend approval of 12-GP-2013, a non-major General Plan Amendment from "Office" to "Urban Neighborhoods" and 21-ZN-2004#2, a request to modify the existing S-R PCD ESL (Service Residential, Planned Community District, Environmentally Sensitive Lands) site plan to develop a 33-unit, single story residential community at the northeast corner of McDowell Mountain Ranch Road and 98th Street.

Senior Planner Mr. Keith Niederer presented this case. The Airport Advisory Commission and the Planning Commission are to make recommendations to City Council. He noted that the Applicant was in attendance and could answer questions.

Chairman Ziomek asked whether there is a map showing the proposed project in relation to Airport arrival and departure routes. It would appear to be directly below the left base into Runway 21. Mr. Niederer confirmed that there is not. In response to a follow-up question by Chairman Ziomek, Ms. Sarah Ferrara, Planning and Outreach Coordinator, said Airport staff have such a map that could be superimposed on the zoning map.

Commissioner Hobbi asked what type of residential is envisioned. Mr. Niederer said it will be individually owned single story condominium units. The Applicant, Mr. Bill Patterson of The Cypress Group, added that the average size will be 1500 square feet. Commissioner Hobbi stated that everyone had just heard Mr. Seaton relaying complaints about aircraft noise, yet DC Ranch is much farther from the Airport. The Commission is tasked with protecting the Airport, which is a historical and important part of this area. The Airport is immensely important to the neighborhood and local economy. More residential in this zone will eventually lead to more complaints about Airport noise. This encroachment is a very, very serious issue to him.

At the request of Commissioner Bergdoll, Mr. Niederer displayed the aerial photo of the area and confirmed that the area immediately to the north of the project is already single family residential. An apartment complex lies to the east.

Commissioner Goode asked why the developer proposes condos rather than apartments. Mr. Patterson said the rental market is saturated. They want to offer diversity in the products. Mr. Niederer noted that for zoning purposes the City does not differentiate between rental and condominium properties. Commissioner Goode reminded the Commission that was a huge factor that they took into account when considering previous applications. The Commission only gave approval because the development was to be rental units.

Chairman Ziomek said for him it would be critical to see the arrival and departure routes superimposed on the zoning map. He concurred with Commissioner Hobbi's comments about protecting the Airport.

Mr. Read said Chapter 5 of the City Aviation Code deals with noise sensitive uses. Projects within the AC-1 outside of the 55 DNL, which is where this proposed project lies, require an aviation easement and a noise disclosure notice.

Commissioner Schuckert asked about the current zoning. Mr. Niederer said it is SR, which allows for both office and residential uses. Residential could be built on this property without changing the zoning. However because there is an office plan for the site which was approved in 2005 but never built, the project must go before City Council for a site plan amendment.

Commissioner Schuckert asked about any noise attenuation in the construction. Mr. Niederer said so far this is not in the plans, however he had mentioned to the Applicant that the Airport Advisory Commission might request one.

Commissioner Bergdoll inquired about the area across McDowell Mountain Range Road to the south. Mr. Niederer said it is currently zoned R-135, which is single family residential. As such, the Commission would not get to consider a single family residential development on that property.

Mr. Niederer told Commissioner Hobbi that staff has not yet made a formal recommendation on the current application, although they will have a recommendation when it is presented to the Planning Commission.

Commissioner Goode said because those single family homes have already been approved it would not be right for the Commission not to approve the current application.

Chairman Ziomek agreed and said that if the Commission does recommend approval they could recommend extra noise attenuation.

Commissioner Hobbi argued that the Commission is not against business and growth. What is concerning for the Airport is that there are other airports around the country where residential encroachment is having a huge negative impact. Santa Monica Airport could well be closed because of continuous, gradual, creeping residential encroachment. Now the residents want to close that airport, putting jobs in danger. He stated for the record that people who keep wanting to build residential developments in this area should be aware that eventually this will result in noise complaints and anti-Airport sentiment. He wants everyone to understand the future problem they are inching towards. He reiterated that they are not opposed to growth.

Commissioner Schuckert confirmed with staff that the aviation easement is recorded and thus passes to future owners.

Commissioner Schuckert made a motion to recommend approval of 12-GP-2013, a non-major General Plan Amendment from "Office" to "Urban Neighborhoods" and 21-ZN-2004#2, a request to modify the existing S-R PCD ESL (Service Residential, Planned Community District, Environmentally Sensitive Lands) site plan to develop a 33-unit, single story residential community at the northeast corner of McDowell Mountain Ranch Road and 98th Street, with the added recommendation that noise attenuation be included in the construction of all units. Commissioner Bergdoll seconded the motion which carried by a vote of four (4) to one (1). Commissioner Hobbi dissented. Vice Chairman Casey and Commissioner Buzzard were absent.

Mr. Niederer undertook to include a copy of the Airport Advisory Commission minutes with the case as it moves forward to the Planning Commission and City Council.

2. Discussion and Input regarding the draft City of Scottsdale General Plan

Mr. Adam Yaron of Long Range Planning presented the current General Plan update.

Chairman Ziomek said the draft is well written. From the Commission's standpoint he finds it heartening that almost every one of the chapters references the Airport as an integral part of the General Plan. However it is disheartening to see that the four dominant themes and six guiding principles do not include more specific protection for the Airport.

Mr. Yaron said staff will certainly relay that comment to the Task Force.

Commissioner Hobbi thanked Mr. Yaron for his presentation. Protection of the Airport cannot be overstated. This must be a priority.

3. Discussion and Input Regarding the Airport Restaurant and Inflight Catering

Ms. DeeDee Maza of Zulu Caffé announced that they will close during July in order to revamp the restaurant and remodel the kitchen so that they will be able to accommodate more inflight catering. She described how that part of their business is expanding with new customers. They will reopen under the name Ciao Baby Bistro for branding purposes. She expressed appreciation to the Commissioners for their support over the past three years.

She told Chairman Ziomek that the hours will remain the same for the time being. In September, however, they plan to extend hours by opening for breakfast.

Commissioner Schuckert recalled that breakfast was stipulated on the original lease which the Commission had recommended for City Council approval. Since then informal amendments have been made to the lease. He urged them to offer breakfast in September, commenting that previous operators have offered breakfast and he feels that the Airport is currently underserved.

Ms. Maza said from January through July breakfast sales totaled just \$2,000 for the entire period. Commissioner Schuckert said he understands it is a challenge but on weekends many restaurants have lineups out the door for breakfast. He opined that the market is out there. The original lease stipulated the restaurant would be open from 7:00 a.m. to 3:00 p.m. Ms. Maza said with their support she would love to extend the hours.

Chairman Ziomek added that he had a lengthy discussion with Mr. Mascaro about six months ago. The Aviation Director did have the authority to modify the lease.

Commissioner Schuckert said that the original lease did not specify that. He requested a follow-up from the City Attorney's Office, because he has read through the whole original lease document. He said he just wanted to take this opportunity to urge Zulu Caffé to serve breakfast.

Ms. Maza told Commissioner Schuckert she has never seen him in the restaurant although she is there most of the time. He said he used to go for breakfast on the weekend and usually does not stop for lunch while working. Ms. Maza said they want to stay at the Airport but need the support of the Airport community.

Commissioner Hobbi congratulated Ms. Maza on expanding the inflight catering business. He told her to let the Commission know if there is anything they can do and noted that many catering companies belong to the NBAA. Ms. Maza said they sponsored the Airport booth at the last convention. Commissioner Hobbi said membership in the NBAA would bring them business opportunities.

Commissioner Schuckert said he did not intend to come off as too hard. Ms. Maza assured him that all feedback, good and bad, is welcomed.

4. Discussion and Input Regarding Super Bowl 2015

In the absence of the Aviation Director, Commissioner Bergdoll made a motion to table consideration of this agenda item until the next meeting. Commissioner Goode seconded the

motion, which carried by a vote of five (5) to zero (0). Vice Chairman Casey and Commissioner Buzzard were absent.

5. Discussion and Possible action to amend the Airport Primary Guiding Documents

Mr. Read said it has been three or four years since the last major overhaul of the regulatory documents for the Airport. He outlined the proposed operations changes. Ms. Shannon Johnson, Management Analyst, described the proposed administrative changes.

Mr. Matthew Wright, General Manager of Landmark Aviation, addressed the Commission with his concerns and suggestions.

In section 2-6 he fully supports the additional limiting language in the recommended changes. However, he would like the language to be more clear in terms of what the limitation is. He read his suggested changes: "or basing more than one aircraft at a time in a designated aircraft tie-down or shade parking or storage area." This keeps the language more consistent with the rest of the regulation and makes the intent very clear.

In section 2-19 regarding access codes, Mr. Wright suggested that the first sentence of the additional language in subsection (d) the word "immediately" should be struck. He proposed that in the next sentence the word "the" should be struck and say "A deactivated gate access device ..."

With regard to the section on preventing stormwater pollution, Mr. Wright asked staff if this is included in the regulatory document, would a violation of the SWPPP constitute a violation of a tenant's lease agreement? Mr. Read said it would come into play if a permittee did not want to correct things. However, he could not answer the question about the lease. Mr. Wright said his concern is that perhaps an extra layer of enforcement is being added that is not part of the negotiated lease agreement. He is not necessarily opposed to the language.

Mr. Wright discussed section 2-22, subsection (h), which deals with gate access devices for the Airpark. He suggested the same changes as for the Airport rules and regulations. In the first sentence, the word "immediately" should be struck. In the next sentence the word "the" should be struck and say "A deactivated gate access device ..."

For section 3-09 regarding visiting aircraft, Mr. Wright said the suggested expansion of overnight from seven to ten days may not seem like a big deal, but to him it is a slippery slope. Overnight parking is a source of revenue for both the FBOs and the City. He does not support this proposed change.

Mr. Read commented that the rationale had been to bump up the time frame. The majority of visiting aircraft stay for just one or two days. They are finding that people visiting Airpark owners for vacation and longer stays often ask for an extra day or two to avoid having to take the aircraft elsewhere for one night and come back the next day.

Commissioner Hobbi asked if fees would be involved. Mr. Read said there are no fees for aircraft under 12,500 pounds. These aircraft cannot buy fuel from the fuel farms and often have the FBO fuel trucks supply fuel. The City receives eight cents per gallon on fuel sales.

Mr. Wright reiterated that his main concern is that this is a slippery slope. Chairman Ziomek asked him what the FBOs miss out on with visiting aircraft. Mr. Wright said the FBOs and the City miss out on revenue opportunities for overnight parking at \$75 per night, most of which goes to the City. He argued that this incentivizes Airpark operators to compete more like an FBO.

Commissioner Goode asked if there is any data on the number of requests received. Mr. Read said he would need to research that question. There have been occasions when staff has asked that an aircraft be moved out of the Airpark for one day. It is not a common occurrence. Commissioner Goode said it is important to have an idea of the size of this issue.

Commissioner Schuckert said he is probably one the of the bigger users of visiting aircraft permits. He does not see this as a slippery slope because Mr. Read and his staff do such a great job of processing the permits. In one instance he had to move an aircraft to Landmark Aviation for 24 hours and then return it to the Airpark, which was a hassle. Commissioner Goode said as long as people are not abusing the process and it is infrequent, he does not see a problem.

Mr. Read said operations staff watch visiting aircraft to make sure they are not fuelling at the fuel farm or having maintenance work done. If an aircraft goes to an Airpark property with the intent to be based there, the rule is that the aircraft must be removed from the Airpark before the paperwork will be processed. This rule was needed because people would park in the Airpark and not leave.

Chairman Ziomek wondered whether Commissioner Schuckert should have recused himself from discussion on this item because of a conflict of interest. Commissioner Schuckert said he is not the only person in this situation. His personal use of the visiting aircraft permit is perhaps three times a year. Lex Capital and Aerojet use them all the time because it is part of their operations.

Mr. Read said he was not sure of the answer to this question. He felt that if the Commission is not voting on this question tonight it does not hurt for Commissioner Schuckert to be present. He undertook that staff would look into whether Commissioner Schuckert should recuse himself from voting. Mr. Read added that there is no rush to vote this evening. They want the input of tenants.

Turning to section 7.4 relating to specialized helicopter flight training services in the Airpark, Mr. Wright asked why these same sections are not also in the Airport rules and regulations. This creates an incentive for people to be at the Airpark rather than the Airport. This change also prejudices fixed wing flight schools as well. The rules and regulations and fee structure should be identical at the Airport and the Airpark. There should not be discrimination between helicopters and fixed wing aircraft.

Mr. Read said several years ago the decision had been taken to incentivize helicopters to locate at the Airpark as they are not a good mix with the jets at the Airport. A number of fees vary between the Airport and the Airpark. As far as FAA grant assurances, the FAA is concerned that Airpark tenants are paying their fair share.

Commissioner Hobbi asked why this particular change is being made. Ms. Johnson said the change applies to helicopters specifically and is to push helicopters to the Airpark. Most

helicopter takeoffs and landings are at the Airpark, so they are not causing wear and tear to the runways at the Airport. Her understanding is at present no specialized helicopter flight training services are located at the Airpark. Mr. Read added that fixed wing flight training has always been prohibited at the Airpark.

Mr. Wright said he felt helicopters generate a lot of noise complaints. He noted that Universal Helicopter is Landmark's single largest avgas consumer.

Chairman Ziomek said he does not see an issue with moving helicopters into the Airpark, except for flight training. Flight training schools should probably be on the Airport for safety.

Mr. Read said staff will look at Mr. Wright's comments and return to the Commission at a later date.

6. Discussion and Input Regarding Monthly Operations Report for April 2014

Mr. Read presented the monthly operations report for April 2014.

Commissioner Hobbi inquired whether reported incidents are tallied and categorized. Mr. Read said that has never been done but he could do it at the end of the year if the Commission wishes. The only two categories are aircraft related and non aircraft related. Commissioner Hobbi said the only reason is to see if there is a particular type of occurrence or a particular operator involved. Mr. Read said the fuel spills are the one concern which has been addressed. Other than that, there is a wide variety of occurrences so it would be tough to detect trends.

7. Discussion and Input Regarding Monthly Financial Reports for March 2014

Ms. Johnson reviewed the March 2014 financial report. Revenues year to date are up by about 12% and expenses are down by about 17%. The Aviation Fund cash balance is about \$9.66 million. The accounts receivable aging report is doing well.

8. Discussion and Input Regarding Public Outreach Programs and Planning Projects

Ms. Ferrara reported that staff has launched a Twitter account, @flyscottsdale. At this point they are building up a network and tweeting about three times daily. There is a component for emergency management preparation. At 6:00 p.m. that day they had tweeted a new aerial panoramic video by AZChopperCam from Mesa provided, which is also on the Airport website.

On April 18 she and the Director of Economic Development Danielle Casey made a presentation to approximately 150 real estate agents. They were very interested in the Airport's economic role for the Valley and the region.

Work continues on the Master Plan, in particular the economic impact studies. The first round of surveys did not generate enough response so staff is now doing more outreach.

The FAA has responded to the Environmental Assessment. Staff has made minor revisions and returned it and are waiting for the FAA's final response.

Ms. Ferrara reported that three projects in the Airport Influence Area were listed in the planning and zoning reports. She sent out six voluntary curfew reminder letters in April. For the most part operators are aware of the procedures and do what they can to avoid infractions.

Commissioner Hobbi asked whether she had mentioned to the realtors that the Airport is very sensitive about residential development around the Airport. Ms. Ferrara assured him that she always talks about noise in her presentations.

9. Discussion and Input Regarding Airport and Airpark Aeronautical Business Permit Additions, Cancellations or Revocations

Ms. Johnson said there were no changes to report.

10. Discussion and Input Regarding Status of Aviation Items to City Council

Mr. Read reviewed the report.

11. Discussion and Possible Action to Modify the airport Advisory Commission Meeting Schedule and Commission Item Calendar

Chairman Ziomek noted that traditionally the Commission does not meet in July and that June would be Commissioner Buzzard's last meeting. It was the consensus of the Commission to meet in June and decide then whether to cancel the July meeting.

FUTURE AGENDA ITEMS

Mr. Read said Mr. Mascaro will report on preparations for Super Bowl 2015.

ADJOURNMENT

With no further business to discuss, being duly moved and seconded, the meeting adjourned at 7:31 p.m.

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